

REMARKS

1. Claims 1-60 were pending. Claims 1-31, 33-34, 36-40, 43, 45-46, 48-51, and 53-60 have been amended. No claims have been cancelled. Claims 61-71 have been added. No new matter has been added. Claims 1-71 are now pending. Reexamination and reconsideration of the application, as amended, are requested.

2. Rejections under 35 U.S.C. § 102

Claims 1-9, 12-19, 21-22, 24-25, 27, 34-35, 43, 48, 50-52, 57-58, and 60 are rejected under 35 U.S.C. 102(e) as being anticipated by Tanaka (US Patent No. 6,299,535. Claims 1, 10-11, 13, 20, 22-23, 26-33, 36-43, 44-49, and 57 are rejected under 35 U.S.C. 102(b) as being anticipated by Links 386CD Players Manual ("Links"). The Applicant respectfully traverses the rejections and requests consideration of the following.

A. Applicant's Disclosure

The present application discloses a video game system console that can include a processor, a portable media reader, and a non-removable hard disk drive. The hard disk drive stores a video game console application to which the video game system console boots so as to present a graphical user interface that provides navigation to media on the video game system console. Unlike a general purpose personal computer, the video game system console is for playing video

1 games. The video games are played by executing video game instructions read from
2 removable media by the portable media reader.

3 The Specification supports the foregoing at Page 3, lines 4-12:

4 A console application stored on the hard disk drive implements a user
5 interface to allow user interaction with the gaming system. The game console
6 boots into the console application upon power up or system reset. The console
7 application also performs various functions necessary to operate the gaming
8 system.

9 Additional support is seen in the Specification at Page 10, lines 11-12:

10 If the hard disk drive 208 is not functioning properly, the gaming system
11 100 may not boot successfully.

12 By way of example of the foregoing, when the video game system console is
13 booted or reset, a user interface for the video gaming system is output by the video
14 game system console for display, such as is seen in FIG. 9. The user interface is for
15 the use of a player to play video games with the video game system console. A video
16 game is represented as instructions in media stored on a removable disk read by the
17 portable media reader. When so supplied by the player, the video game program that
18 was loaded upon boot can play the video game represented as instructions in media
19 stored on the removable disk.

20 B. The Teachings of Tanaka (US Patent No. 6,299,535) and of Links

21 1. Tanaka (US Patent No. 6,299,535) teaches a personal computer that
22 functions as a general purpose computer. While the specification makes various
23 references to playing video games with a game system, the game system is disclosed
24 to be a general purpose computer as is seen at Col. 9, lines 1-6:
25

1 At startup, the CPU 12 reads the program and data required for execution of
2 the game through the CD-ROM drive 18 from a computer readable program
3 product, that is, the CD-ROM 30, based on the operating system stored in the
4 ROM 13 and transfers the same to the RAM 14 and hard disk drive 15.

5 Accordingly, CPU 12 boots with an undescribed, and thus conventional,
6 operating system that was loaded into CPU 12 from ROM 13. The operating system
7 can then operate within CPU 12 in a conventional manner to execute the game found
8 on media as read from CD-ROM 30 by CD-ROM drive 18, as is conventional with
9 personal computer gaming. As such, Tanaka teaches a boot of the operating system
10 that is stored in ROM 13 rather than a boot into a video game system console from
11 boot instructions on hard disk drive 15. Moreover, the general purpose nature of the
12 computing system taught by Tanaka for playing video games is seen at Col. 13, lines
13 8-15:

14 Note that the game control method explained in the present embodiment
15 may be realized by execution of a prepared program by a personal computer,
16 video game system, etc. The game program according to this game control
17 method is stored in a hard disk, floppy disk, CD-ROM, magneto-optic disk
18 (MO), DVD, or other computer readable program product. The game program
19 is read from the program product by a computer, and the game program
20 executed by the program. Further, the program may be distributed through
21 such a program product or through the Internet or other networks.

22 Therefore, some program products can be distributed and sold
23 independently from the game system as software products. Further, by use of a
24 computer or other hardware and using this software, it becomes possible to
25 easily work the game technique of the above embodiment by this hardware.

26 From the foregoing, it can be seen that the boot process for the system of
27 Tanaka is not described specifically with respect to a video game system console for
28 playing video games, and more particularly is not taught as initialing loading a video
29 game program in the boot sequence. Rather, the hard disk drive seen reference
30 numeral 15 of Figure 1 of Tanaka serves the functions of a general purpose computer

1 for which the boot process is conventional and thus need not be described in order to
2 implement the teachings of Tanaka. As such, the hard disk drive of Tanaka would be
3 understood by those of ordinary skill in the relevant arts as being of use for general,
4 not specific, purposes in that the hard disk drive of Tanaka is not taught as being
5 specific to the execution of a video game program that is initially loaded upon boot.

6 A general purpose computer boots into a general purpose state for executing
7 programs of a variety of types, with a video game program being one of many types of
8 programs that can be executed after the boot process. After the general purpose
9 computer had been booted, it can then execute any such type of program. In that
10 Tanaka teaches booting to initiate a general purpose program, unlike Applicant's
11 disclosure, Tanaka does not teach booting to initiate a video game program. As such,
12 Tanaka does not does not teach all of the elements of any of the independent claims, as
13 amended or as added.

14 2. Similar to Tanaka, Links provides documentation that teaches a
15 personal computer that functions as a general purpose computer by operating a Disk
16 Operating System (DOS) as seen from the conventional DOS diagnostics, for instance,
17 at Pages 11-12, the Technical Reference Section beginning at Page 53, and the FAQs
18 beginning at Page 71. After the personal computer has been booted with its general
19 purpose DOS operating system, it can then execute any of a variety of DOS programs,
20 including the LINKS 386 CD game program. In that Links teaches booting to initiate
21 a general purpose program, unlike Applicant's disclosure, Links does not teach
22 booting to initiate a video game program. As such, Links does not teach all of the
23 elements of any of the independent claims, as amended or added.
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C. Summary

The pending independent claims, as amended, recite limitations not found in the applied references. Such limitations are missing from both the applied art and the art of record, both alone and in any combination. Moreover, these missing limitations are not otherwise supported by way of official notice, stated scientific theory, basis for common knowledge in the art, or cited legal precedent. As such, the independent claims, and claims dependent therefrom, as amended or added, are allowable over the applied art.

The Applicant respectfully maintains that the present application is in condition for allowance. Reconsideration of the rejections is requested. Allowance of Claims 1-71 at an early date is solicited. In the event that the Examiner finds any remaining impediment to a prompt allowance of this application that could be clarified by a telephonic interview, the Examiner is respectfully requested to initiate the same with the undersigned attorney.

Dated this 6th day of December, 2002.

Respectfully submitted,



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1 **Specification Amendment Mark up under 37 C.F.R. § 1.121(b)1(iii)**

2 In accordance with 37 C.F.R. § 1.121(b)1(iii): marked up version of the
3 amended paragraph in the Specification at Page 2, lines 10-12 as follows:

4 Accordingly, there is a need for an improved data handling
5 mechanism for gaming systems that includes an internal data storage
6 device, such as a hard disk drive.

1 **Marked up Version of the Pending Claims Under 37 C.F.R. § 1.121(c) (1) (ii):**

2
3 Amend Claims 1-31, 33-34, 36-40, 43, 45-46, 48-51, 53-60 as follows and in
4 accordance with 37 C.F.R. §1.121(c)(1)(ii), by which the Applicant submits the following
5 marked up version only for claims being changed by the current amendment, wherein the
6 markings are shown by brackets (for deleted matter) and/or underlining (for added
7 matter):
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2 1. (Once Amended) A video game system console[,] comprising[: a
3 processor and] a hard disk drive that is non-removable from the video game
4 system console [coupled to the processor] and that stores a video game console
5 application to which the video game system console boots that presents a graphical
6 user interface providing navigation to media on the video game system console.
7 [the hard disk drive being configured to store various data associated with the
8 game console.]
9

10
11 2. (Once Amended) A video game system console as recited in
12 claim 1, wherein the media is selected from the group consisting of:
13 media to play a game;
14 media to watch a movie; and
15 media to listen to music. [further including a memory coupled to the
16 processor.]
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19 3. (Once Amended) A video game console as recited in claim 1
20 further including a portable media drive coupled to a [the] processor and
21 configured to communicate with a storage disc upon which the media is stored.
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1 4. (Once Amended) A video game system console as recited in claim 3
2 [1] [further including] wherein the video game console application is stored on the non-
3 removable hard disk drive and is executable on the processor[, the console application
4 configured to implement a user interface to the gaming system].

5
6 5. (Once Amended) A video game system console as recited in
7 claim 3 [1] further including a portable memory unit coupled to the processor.

8
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10 6. (Once Amended) A video game system console as recited in
11 claim 5 [1] wherein the portable memory unit is coupled to the processor via a
12 game controller for receiving user input [hard disk drive is configured to store
13 game data, audio data, and video data].

14
15 7. (Once Amended) A video game system console as recited in
16 claim 1 wherein the non-removable hard disk drive is segregated into a plurality of
17 regions, each region for storing a particular type of data.

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20 8. (Once Amended) A video game system console as recited in
21 claim 1 wherein the non-removable hard disk drive is segregated into a user data
22 region, an application region, and a console application region.
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1 9. (Once Amended) A video game system console as recited in
2 claim 1 wherein the non-removable hard disk drive is segregated into a settings
3 region, a user data region, an application region, a utility region, and a console
4 application region.

5
6 10. (Once Amended) A video game system console as recited in
7 claim 1 wherein the non-removable hard disk drive is configured to store data
8 associated with multiple saved games.
9

10
11 11. (Once Amended) A video game system console as recited in
12 claim 1 wherein the non-removable hard disk drive is configured to store a list of
13 recently used nicknames.
14

15 12. (Once Amended) A video game system console as recited in claim
16 1 further comprising an enclosure for the processor, the non-removable hard disk
17 drive and port for interfacing with a game controller.
18

19 [wherein the game console boots into a console application stored on the
20 hard disk drive.]
21

22 13. (Once Amended) A video game system console[,] comprising a
23 housing that contains each of:
24 a portable media reader;
25

1 a processor; and

2 a hard disk drive coupled to the processor, the hard disk drive being
3 configured to boot the video game system console and to store data associated
4 with the video game system console[.], wherein the processor:

5 is coupled to receive video game instructions for a video game from
6 portable media in the portable media reader;

7 executes the video game using the game instructions read from the
8 portable media in the portable media reader;

9 is coupled to a controller to receive user commands when executing
10 the video game.

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12
13 14. (Once Amended) A video game system console as recited in claim
14 13 wherein, when executing the video game, the processor sends video game data
15 to the controller to be saved [the game console boots into a console application stored
16 on the hard disk drive].

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19 15. (Once Amended) A video game system console as recited in claim
20 13 wherein the hard disk drive is permanently installed in the housing [game console].
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1 16. (Once Amended) A video game system console as recited in claim
2 13 further including a memory coupled to the processor.

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4 17. (Once Amended) A video game system console as recited in claim
5 13 wherein the hard disk drive contains a console application configured to implement a
6 user interface to the gaming system.

7
8 18. (Once Amended) A video game system console[as recited in
9 claim 13 further including] comprising a processor and a non-removable hard disk
10 drive coupled to the processor, wherein the non-removable hard disk drive stores a
11 video game console application to which the video game system console boots.

12
13 [a console application stored on the hard disk drive, the console application being
14 configured to generate a listing of user data stored on the hard disk drive.]

15
16 19. (Once Amended) A video game system console as recited in claim
17 18 [13] wherein the hard disk drive is configured to store application data such that data
18 associated with one application is inaccessible to other applications.

19
20 20. (Once Amended) A video game system console as recited in claim
21 18 [13] wherein the hard disk drive is configured to store saved game data such that
22 saved game data associated with a particular game is stored separately from saved game
23 data associated with other games.
24
25

1 21. (Once Amended) A video game system console as recited in claim
2 18 [13] wherein the hard disk drive is configured to store saved game data in a user data
3 region and configured to store application-related data in an application data region.

4
5 22. (Once Amended) A video game system console, comprising:
6 a processor; and
7 a hard disk drive coupled to the processor, the hard disk drive being segregated
8 into a first region to store user data that includes game data saved by a user of the
9 video game system console when the processor executes a video game; and
10 a second region to store application data that includes data specific to the video
11 game executed by the processor, wherein user data associated with the video game [a
12 particular application] is segregated from user data associated with other video game
13 applications and wherein the application data associated with the video game [a
14 particular application] is segregated from application data associated with other video
15 game applications.
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17
18 23. (Once Amended) A video game system console as recited in claim
19 22 wherein the user data includes saved game data.
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21 24. (Once Amended) A video game system console as recited in claim
22 22 wherein the application data includes data to be used during future executions of the
23 associated application.
24
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1 25. (Once Amended) A video game system console as recited in claim
2 22 further including a console application stored on the hard disk drive, the console
3 application being configured to generate a list of user data stored in the first region.
4

5 26. (Once Amended) A video game system console as recited in claim
6 22 wherein the disk drive is configured to store a list of recently used nicknames.
7

8 27. (Once Amended) A method comprising:
9 identifying a game identifier associated with a video game installed in a video
10 game system console, wherein the video game system console [gaming system] contains
11 a hard disk drive;

12 determining portions of the hard disk drive that are associated with the video
13 game based on the game identifier; and
14

15 preventing the video game from accessing portions of the hard disk drive
16 that are not associated with the game.
17

18 28. (Once Amended) A method as recited in claim 27 further
19 including saving a current state of the video game to the hard disk drive in
20 response to a save game request.
21

22 29. (Once Amended) A method as recited in claim 27 further
23 including retrieving a list of saved games associated with the video game installed
24 in the video game system console [gaming system].
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4 30. (Once Amended) A method as recited in claim 27 further
5 including:

6 retrieving a list of saved games associated with the video game installed in the
7 video game system console [gaming system]; and

8 displaying the list of saved games to a user of the video game system console
9 [gaming system].
10

11 31. (Once Amended) A method as recited in claim 27 further including:
12 retrieving a list of saved games associated with the video game installed in the
13 video game system console [gaming system];
14

15 displaying the list of saved games to a user of the video game system console
16 [gaming system]; and

17 executing the video game using saved game data selected by the user of the video
18 game system console [gaming system].
19

20 32. (Unamended) A method as recited in claim 27 further including retrieving
21 a list of recently used nicknames.
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1 33. (Once Amended) A method as recited in claim 27 further including
2 retrieving a list of recently used nicknames associated with the video game installed in
3 the video game system console [gaming system].
4

5 34. (Once Amended) A method as recited in claim 27 wherein
6 determining portions of the hard disk drive that are associated with the video game based
7 on the game identifier comprises:

8 determining a portion of a user data region on the hard disk drive that is
9 associated with the video game that includes game data saved by a user of the video
10 game system console when executing a video game; and

11 determining a portion of an application data region on the hard disk drive that is
12 associated with the video game and that includes data specific to the video game
13 installed in the video game system console.
14

15
16 35. (Unamended) One or more computer-readable media comprising
17 computer-executable instructions that, when executed, perform the method as recited in
18 claim 27.
19

20 36. (Once Amended) A method comprising:
21 retrieving a list of recently used nicknames in a video game system console
22 [gaming system];

23 displaying the list of recently used nicknames to a user of the video game system
24 console [gaming system]; and
25

1 allowing the user of the video game system console [gaming system] to select a
2 nickname from the list of recently used nicknames.

3
4 37. (Once Amended) A method as recited in claim 36 wherein the list of
5 recently used nicknames is associated with a video game installed in the video game
6 system console [gaming system].

7
8 38. (Once Amended) A method as recited in claim 36 wherein retrieving
9 a list of recently used nicknames includes retrieving the list of recently used nicknames
10 from a non-removable hard disk drive in the video game system console [gaming
11 system].

12
13 39. (Once Amended) A method as recited in claim 36 further including
14 allowing the user of the video game system console [gaming system] to create a new
15 nickname.

16
17 40. (Once Amended) A method as recited in claim 36 further including:
18 allowing the user of the video game system console [gaming system] to create a
19 new nickname; and
20 adding the new nickname to the list of recently used nicknames.

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23 41. (Unamended) A method as recited in claim 36 further including
24 automatically entering the selected nickname into a high score display.
25

1 42. (Unamended) One or more computer-readable media comprising
2 computer-executable instructions that, when executed, perform the method as recited in
3 claim 36.

4
5 43. (Once Amended) A method comprising:
6 booting a video game system console from a non-removable hard disk drive
7 integrated into the game console; and
8 storing data associated with the video game system console on the hard disk drive.

9
10 44. (Unamended) A method as recited in claim 43 further including storing a
11 list of recently used nicknames on the hard disk drive.

12
13 45. (Once Amended) A method as recited in claim 43 further
14 including:
15 executing a video game the video game system console; and
16 storing data associated with multiple saved games on the hard disk drive from the
17 execution of the video game.

18
19
20 46. (Once Amended) A method as recited in claim 43 wherein booting a
21 video game system console includes booting the video game system console into a video
22 game console application stored on the hard disk drive.

1 47. (Unamended) One or more computer-readable media comprising
2 computer-executable instructions that, when executed, perform the method as recited in
3 claim 43.

4
5 48. (Once Amended) A method comprising:
6 initializing a video game system console using a non-removable hard disk drive
7 integrated into the video game system console, wherein the video game system console
8 will not operate unless the hard disk drive is functioning; and
9 storing data associated with the video game system console on the hard disk drive.
10

11 49. (Once Amended) A method as recited in claim 48 wherein the stored
12 data on the hard disk drive includes data associated with multiple saved games from one
13 or more video games executed by the video game system console.
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15 50. (Once Amended) A method as recited in claim 48 wherein initializing
16 the video game system console includes launching a video game console application
17 stored on the hard disk drive.
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20 51. (Once Amended) A method as recited in claim 48 further including
21 executing a video game application installed in the video game system console after
22 initializing the video game system console.
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1 52. (Unamended) One or more computer-readable media comprising
2 computer-executable instructions that, when executed, perform the method as recited in
3 claim 48.

4
5 53. (Once Amended) A method comprising:
6 launching a[n] video game application on a video game system console;
7 identifying a status of a plurality of temporary storage areas on a hard disk drive
8 contained in the video game system console;
9 if at least one of the plurality of temporary storage areas is empty, assigning one
10 of the empty storage areas to the video game application; and
11 if all of the plurality of temporary storage areas contain data, clearing a temporary
12 storage area having an oldest timestamp and assigning the cleared temporary storage area
13 to the video game application.

14
15 54. (Once Amended) A method as recited in claim 53 wherein the video
16 game application receives user input from a controller couples to the video game system
17 console [is a game].

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20 55. (Once Amended) A method as recited in claim 53 further including
21 assigning a particular temporary storage area to the application if the particular temporary
22 storage area contains data associated with the video game application.

23
24 56. (Once Amended) A method comprising:
25 launching an application on a video game system console;

1 identifying a status of a plurality of temporary storage areas on a hard disk drive
2 contained in the video game system console;

3 if a particular temporary storage area contains data associated with a video game
4 [the] application, assigning the particular temporary storage area to the video game
5 application;

6 if no temporary storage area contains data associated with the video game
7 application:

8 if at least one of the plurality of temporary storage areas is empty,
9 assigning one of the empty storage areas to the video game application; and

10 if all of the plurality of temporary storage areas contain data, clearing a
11 temporary storage area having an oldest timestamp and assigning the cleared
12 temporary storage area to the video game application.

13
14 57. (Once Amended) A computer-readable medium for a video game
15 system console comprising computer-executable instructions that, when executed, direct
16 the video game system console to:

17 associate user data with a first region of a hard disk drive contained in the video
18 game system console;

19 associate video game application data with a second region of the hard disk drive;

20 allow a[n] video game application to access particular portions of the first region
21 that are associated with the video game application; and

22 allow the video game application to access particular portions of the second
23 region that are associated with the video game application.
24
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1 58. (Once Amended) A computer-readable medium as recited in claim 57
2 further comprising computer-executable instructions that, when executed, direct the video
3 game system console to prevent the video game application from accessing portions of
4 the first region that are not associated with the video game application.

5
6 59. (Once Amended) A computer-readable medium as recited in claim 57
7 further comprising computer-executable instructions that, when executed, direct the video
8 game system console to prevent the video game application from accessing portions of
9 the first region that are not associated with the video game application.

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11 60. (Once Amended) A computer-readable medium as recited in claim 57
12 wherein the video game application receives user input from a controller couples to the
13 video game system console [is a game].
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